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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/809,663

03/25/2004

Amit Haller

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EXAMINER

AJAYI, JOEL

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/809,663	Applicant(s) HALLER ET AL.	
	Examiner JOEL AJAYI	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 10-12, 14, 15, 17-24, 26, 31-33 and 35-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-12, 14, 15, 17-24, 26, 31-33, 35-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-4, 10-12, 14, 15, 17-24, 26, 31-33, 35-37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 4, 10-12, 14, 15, 17, 19-24, 26, 32, 33, 35-37 are rejected under 35

U.S.C. 102(b) as being anticipated by **Subbiah et al. (U.S. Patent Application Number: 2002/0191627)**.

Consider **claim 1**; Subbiah discloses a first device comprising: a processor to execute one or more software components for: receiving a request to obtain a cellular network attribute (IP address) from a first terminal (mobile terminal) connected to the first device (access point) in a short distance wireless network (e.g. WLAN) (paragraphs 14-16; paragraph 18, lines 1-10); determining whether a previously stored cellular network attribute is current (updating procedure) (paragraph 18, lines 1-10); obtaining the cellular network attribute from a second device connected to the first device in the cellular network, in response to determining that the previously stored cellular network attribute is not current (updating procedure) (paragraph 18, lines 1-10); forwarding the cellular network attribute to the first terminal over the short distance wireless network (paragraphs 14-16; paragraph 18, lines 1-10); and terminating the connection

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between the first terminal and the first device, in response to completing the forwarding of the cellular network attribute to the first terminal (handoff process) (paragraphs 14-16; paragraph 18, lines 1-10); and a memory, a coupled to the processor, to store the previously stored cellular network attribute (paragraph 16 and 46) .

Consider **claims 3, 19, 32**; Subbiah discloses that the cellular network attribute is a private Internet Protocol (IP) address for the first terminal (paragraph 16; paragraph 18, lines 1-10).

Consider **claims 4, 17, 26, 33**; Subbiah discloses that the device is capable of communicating with the first terminal through a short-range local area network (LAN) access profile session (paragraphs 14, 15, 18, lines 1-10).

Consider **claims 10, 21, 35**; Subbiah discloses that the network attribute is obtained using a general packet radio service ("GPRS") in a Global System for Mobile communications ("GSM") cellular network (paragraph 15).

Consider **claims 11, 22, 36**; Subbiah discloses that the short distance wireless network is a Bluetooth.TM. wireless local area network (paragraphs 14 and 15).

Consider **claims 12, 23, 37**; Subbiah discloses that the short distance wireless network is an 802.11 wireless local area network (paragraphs 14 and 15).

Consider **claims 14, 20**; Subbiah discloses that the device is a cellular telephone (paragraph 414, lines 21-23).

Consider **claim 15**; Subbiah discloses a method comprising: receiving a request to obtain a cellular network attribute (IP address) from a first terminal (mobile terminal) connected to the first device (access point) in a short distance wireless network (e.g. WLAN) (paragraphs 14-16;

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paragraph 18, lines 1-10); determining whether a previously stored cellular network attribute is current (updating procedure) (paragraph 18, lines 1-10); obtaining the cellular network attribute from a second device connected to the first device in the cellular network, in response to determining that the previously stored cellular network attribute is not current (updating procedure) (paragraph 18, lines 1-10); forwarding the cellular network attribute to the first terminal over the short distance wireless network (paragraphs 14-16; paragraph 18, lines 1-10); and terminating the connection between the first terminal and the first device, in response to completing the forwarding of the cellular network attribute to the first terminal (handoff process) (paragraphs 14-16; paragraph 18, lines 1-10).

Consider **claim 24**; Subbiah discloses a system comprising: a logic unit for receiving a request to obtain a cellular network attribute (IP address) from a first terminal (mobile terminal) connected to the first device (access point) in a short distance wireless network (e.g. WLAN) (paragraphs 14-16; paragraph 18, lines 1-10); a logic unit for determining whether a previously stored cellular network attribute is current (updating procedure) (paragraph 18, lines 1-10); a logic unit for obtaining the cellular network attribute from a second device connected to the first device in the cellular network, in response to determining that the previously stored cellular network attribute is not current (updating procedure) (paragraph 18, lines 1-10); a logic unit for forwarding the cellular network attribute to the first terminal over the short distance wireless network (paragraphs 14-16; paragraph 18, lines 1-10); and a logic unit for terminating the connection between the first terminal and the first device, in response to completing the forwarding of the cellular network attribute to the first terminal (handoff process) (paragraphs 14-16; paragraph 18, lines 1-10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 2, 18, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Subbiah et al.** (U.S. Patent Application Number: 2002/0191627) in view of **Forslow**(U.S. Patent Application Number: 2002/0069278).

Consider **claims 2, 18, 31**; Subbiah discloses the claimed invention except: the cellular network attribute is a domain naming service (DNS) address.

In an analogous art Forslow discloses that the cellular network attribute is a domain naming service (DNS) address (paragraph 93, lines 9-23).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Subbiah by including a DNS address as taught by Forslow for the purpose of enhancing mobility management.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Joel Ajayi whose telephone number is (571) 270-1091. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm and Friday 7:30am to 4:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Joel Ajayi

February 27, 2009

/NICK CORSARO/
Supervisory Patent Examiner, Art Unit 2617